

Agenda Item Form

Agenda Date: 10/26/04

Districts Affected: 6

Dept. Head/Contact Information: Pat Adatao, Deputy CAO, B & PS; 541-4853

Type of Agenda Item:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Staffing Table Changes | <input type="checkbox"/> Board Appointments |
| <input type="checkbox"/> Tax Installment Agreements | <input type="checkbox"/> Tax Refunds | <input type="checkbox"/> Donations |
| <input type="checkbox"/> RFP/ BID/ Best Value Procurement | <input type="checkbox"/> Budget Transfer | <input type="checkbox"/> Item Placed by Citizen |
| <input type="checkbox"/> Application for Facility Use | <input type="checkbox"/> Bldg. Permits/Inspection | <input type="checkbox"/> Introduction of Ordinance |
| <input type="checkbox"/> Interlocal Agreements | <input type="checkbox"/> Contract/Lease Agreement | <input type="checkbox"/> Grant Application |
| <input type="checkbox"/> Other _____ | | |

Funding Source:

- ☐ General Fund
- ☐ Grant (duration of funds: _____ Months)
- ☒ Other Source: Prior year CO's

Legal:

☐ Legal Review Required
Denied

Attorney Assigned (please scroll down): Terri Cullen-Garney

☐ Approved ☐

Timeline Priority: ☒ High ☐ Medium ☐ Low # of days: _____

Why is this item necessary:

Lee Blvd. Extension Project

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:

Statutory or Citizen Concerns:

Departmental Concerns:

04 OCT 13 11:13



OCT 13 11 4

**CITY OF EL PASO, TEXAS
BUILDING & PLANNING SERVICES**

MEMORANDUM

TO: The Honorable Mayor & City Council
Joyce Wilson, City Manager
Laura Uribarri, Executive Assistant to the Mayor
Adrian Ocegueda, Executive Assistant to the Mayor

COPY TO: Daryl Cole, Streets Director.
Rick Conner, City Engineer
Lisa Elizondo, City Attorney
Terry Cullen-Garney, Deputy City Attorney

FROM: Patricia D. Adauto, Deputy City Manager for Building & Planning Services

SUBJECT: City Council Agenda - October 26, 2004

DATE: September 18, 2004

Adauto

The following item has been scheduled for City Council action as noted above.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Memorandum of Agreement between the CITY OF EL PASO and WILLIAM LOCKRIDGE AND LOANDA LOCKRIDGE for the purchase of

Parcel 11—5,104 square feet, more or less, being a portion of Lot 12, Block 7, of Hueco View Acres, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat Records of El Paso County, Texas.

to be used for the Lee Boulevard Extension Project. District No. 5, [Patricia D. Adauto, Deputy City Manager for Building and Planning Services, 541-4853]

This .117 acre, unimproved property is located along the east side of Lee Boulevard, between Edgemere Boulevard and Montana Avenue and is required right of way for the completion of Lee Boulevard Extension Project, Phase II. Two inner lanes are completely constructed. Phase II will consist of the construction of two additional outer lanes of roadway. Should you have any further questions you may contact me or Terry Quezada at 541-4853.

Office Use Only

Mayor's Office (3copies):	date: _____	time: _____	by: _____
City Manager	date: _____	time: _____	by: _____
Representative District 1:	date: _____	time: _____	by: _____
Representative District 2:	date: _____	time: _____	by: _____
Representative District 3:	date: _____	time: _____	by: _____
Representative District 4:	date: _____	time: _____	by: _____
Representative District 5:	date: <u>n/a</u> _____	time: _____	by: _____
Representative District 6:	date: _____	time: _____	by: _____
Representative District 7:	date: _____	time: _____	by: _____
Representative District 8:	date: _____	time: _____	by: _____

Mayor & City Council
October 18, 2004

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Memorandum of Agreement between the CITY OF EL PASO and WILLIAM LOCKRIDGE AND LOANDA LOCKRIDGE for the purchase of

Parcel 11—5,104 square feet, more or less, being a portion of Lot 12, Block 7, of Hueco View Acres, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat Records of El Paso County, Texas.

to be used for the Lee Boulevard Extension Project.

ADOPTED this ____ day of October, 2004.

THE CITY OF EL PASO

Joe Wardy, Mayor

ATTEST:

Richarda D. Momsen, City Clerk

APPROVED AS TO FORM:

Theresa Cullen-Garney
Deputy City Attorney

APPROVED AS TO CONTENT:

Patricia D. Adauto
Deputy Chief Administrative Officer
for Building and Planning Services

MEMORANDUM OF AGREEMENT

El Paso County
Lee Boulevard Expansion Project
Parcel No. 11

William Lockridge and Loanda Lockridge
8409 Shaver Dr.
El Paso, Texas 79925

Dear Mr. and Mrs. Lockridge:

You have indicated a willingness to sign a deed for a portion of your property which consists of 5,104 sq ft located at Lot 12, Block 7, Hueco View Acres in El Paso.

It is important to confirm this agreement in order to avoid any possible misunderstanding as to the details of the purchase or the process by which the City of El Paso (City) will make payment. The payment of \$4,482.00 as herein agreed will constitute full payment to be made by City for the property to be conveyed to the City.

The City and the owner(s) have agreed to the following provisions:

It is agreed by and between the parties hereto, that of the total compensation of **\$4,432.00 (Four Thousand Four Hundred Thirty-Two and No/100 Dollars)** as herein provided, **\$4,432.00.00 (Four Thousand Four Hundred Thirty-Two and No/100 Dollars)** is payment for the property conveyed to the City with the remaining \$0.00 (Zero Dollars) representing payment for damages the remaining property suffers by reason of taking and/or the necessity of property adjustments to accomplish the taking.

Until payment is made by the City, title and possession of the property to be conveyed remains with you. You shall bear all risk of loss to any and all such property prior to such payment. Either you or the City shall have the right to terminate this agreement.

Save and Except, However, it is expressly understood and agreed that owner(s) are retaining title to the following improvements(s) located on the above-described property, to-wit:

NONE

The payment of the amount herein stated and the terms provided constitute the only promises, consideration and conditions of this purchase; and, no other promises, consideration or conditions have been signified or implied, save and except any benefits

which may accrue under the City's Relocation Assistance Program and the mutual benefits to be derived by you and the City from the signing of this agreement.

The City, without cost to you as the owner, will pay the cost of recording all instruments conveying title to the City.

It is suggested that you carefully review the proposed Right-of-Way Deed and satisfy yourselves as to its provisions. With your signing of this agreement and execution of the Right-of-Way Deed, the City will proceed with the issuance of funds, which will be made out jointly to you and **LAWYERS TITLE OF EL PASO**. This company has been designated as the City's closing agent and is responsible to see that the City obtains clear title. They will not endorse the check and make payment until clear title is secured. At the same time, you have the right to withhold endorsement of the check and not accept payment until you are fully satisfied on all details of the transaction.

Sincerely,

Joe Wardy
Mayor
City of El Paso

Date: 10/14/04

William Lockridge SS#

Loanada Lockridge SS#

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Theresa Cullen-Garney
Deputy City Attorney

Patricia D. Adauto, Deputy CAO
for Building and Planning Services

April, 2002

Parcel 11

Page 1 of 2

EXHIBIT A Page 1 of 3 Pages

Highway:
Limits: From Pratt Avenue Northerly to
U.S. Highway 62 & 180 (Montana Avenue)
County: El Paso
Account No.:
ROW CSJ: 924-06-171
Owner: Preston H. Bannister

*William E. & Londa B.
Hockridge*

Property Description for
Parcel 11

Being a 0.1172 (5,104 square feet) acre parcel of land, situated in Lot 12, Block 7, Hueco View Acres, as recorded in Volume 4, Page 41, Plat Records of El Paso County, Texas, conveyed to Preston H. Bannister, as recorded in Volume 1028, Page 0477, Deed Records (Old Book) of El Paso County, Texas, said 0.1172 acres of land, being more particularly described by metes and bounds as follows with all bearings and coordinates referenced to the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (1993 Adjustment). All coordinates and distances are surface based upon NGS Station "Sherman RM5" and may be converted to grid values by applying the combined scale factor of 0.999787552 at said NGS Station "Sherman RM5".

COMMENCING for reference at a set 5/8" rebar with cap stamped "LANDMARK TX4869 NM11402" lying at the southeast corner of said Lot 12, Block 7, Hueco View Acres, as recorded in Volume 4, Page 41, Plat Records of El Paso County, Texas, conveyed to Preston H. Bannister, as recorded in Volume 1028, Page 0477, Deed Records (Old Book) of El Paso County, Texas;

North 86°53'13" West, with the southerly boundary line of said Lot 12, a distance of 625.00 feet to a 5/8" rebar with cap stamped "LANDMARK TX4869 NM11402" set at 45.00 right of and perpendicular to Lee Boulevard Baseline Station 27+68.59 in the proposed easterly right-of-way line of said Lee Boulevard for the TRUE POINT OF BEGINNING, having surface coordinates of Y=10,663,423.4965 and X=445,492.2001; thence as follows:

- (1) **THENCE**, North 86°53'13" West, continuing with said southerly boundary line of said Lot 12, a distance of 15.00 feet to a point lying at the southwest corner of said Lot 12 and the existing easterly right-of-way line of said Lee Boulevard for a corner of this parcel;
- (2) **THENCE**, North 02°33'35" East, with said existing easterly right-of-way line, a distance of 340.31 feet to a point lying at the northwest corner of said Lot 12 for a corner of this parcel;

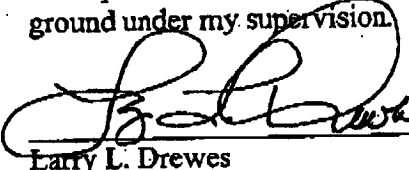
April, 2002
Parcel 11
Page 2 of 2

EXHIBIT A Page 2 of 3 Pages

- (3) **THENCE**, South $86^{\circ}53'13''$ East, with the northerly boundary line of said Lot 12, a distance of 15.00 feet to a $5/8''$ rebar with cap stamped "LANDMARK TX4869 NM11402" set at 45.00 feet right of and perpendicular to Lee Boulevard Baseline Station 31+08.90 in proposed easterly right-of-way line of said Lee Boulevard for a corner of this parcel;
- (4) **THENCE**, South $02^{\circ}33'35''$ West, with said proposed easterly right-of-way line, a distance of 340.31 feet to the **TRUE POINT OF BEGINNING** and containing a computed area of 0.1172 acres (5,104 square feet) of land, more or less.

This Metes and Bounds description is accompanied by a separate plat of the same date. The proposed baseline information recited herein is based on a design schematic drawing provided by Moreno Cardenas, Inc.

I Larry L. Drewes, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.


Larry L. Drewes Date
Registered Professional Land Surveyor
Texas License No. 4869

LAND-MARK PROFESSIONAL SURVEYING, INC.
1405 Vanderbilt, Suite A
El Paso, Texas 79935
(915)-598-1300
April 24, 2002



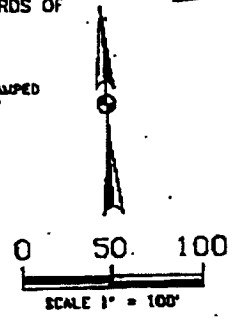
EXHIBIT A Pg 3 of 3 pages

NOTES

1. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983 (1993 ADJUSTMENT). ALL COORDINATES AND DISTANCES ARE SURFACE BASED UPON NGS STATION "SHERMAN RM5" AND MAY BE CONVERTED TO GRID VALUES BY APPLYING THE COMBINED SCALE FACTOR OF 0.999787552 AT SAID NGS STATION "SHERMAN RM5".
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE AND MAY NOT INCLUDE EASEMENTS AND INFORMATION PERTAINING TO THESE TRACTS, RECORD INFORMATION SHOWN ON THIS MAP IS BASED ON PUBLIC RECORD FORMATION.
3. THE BASELINE SHOWN HEREON IS PER A DESIGN SCHEMATIC FILE PROVIDED BY MORENO CARDENAS, INC.
4. ALL BEARINGS AND DISTANCES AROUND WHOLE PROPERTY INSETS ARE BASED ON DEED RECORD INFORMATION AND ROTATED TO MATCH PROPOSED R.O.W. LINE.
5. THIS PLAT IS ACCOMPANIED BY A SEPARATE METES AND BOUNDS DESCRIPTION.
6. (*) EXISTING RIGHT-OF-WAY AS PER HUECO VIEW ACRES SUBDIVISION, AS RECORDED IN VOLUME 4, PAGE 41, PLAT RECORDS OF EL PASO COUNTY, TEXAS.
7. P.R.E.P.C.T. = PLAT RECORDS OF EL PASO COUNTY, TEXAS.
8. D.R.E.P.C.T. = DEED RECORDS OF EL PASO COUNTY, TEXAS.

SURVEY LEGEND

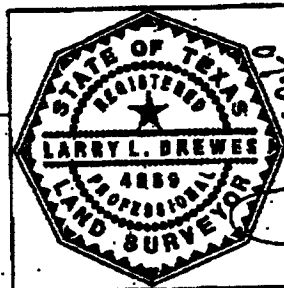
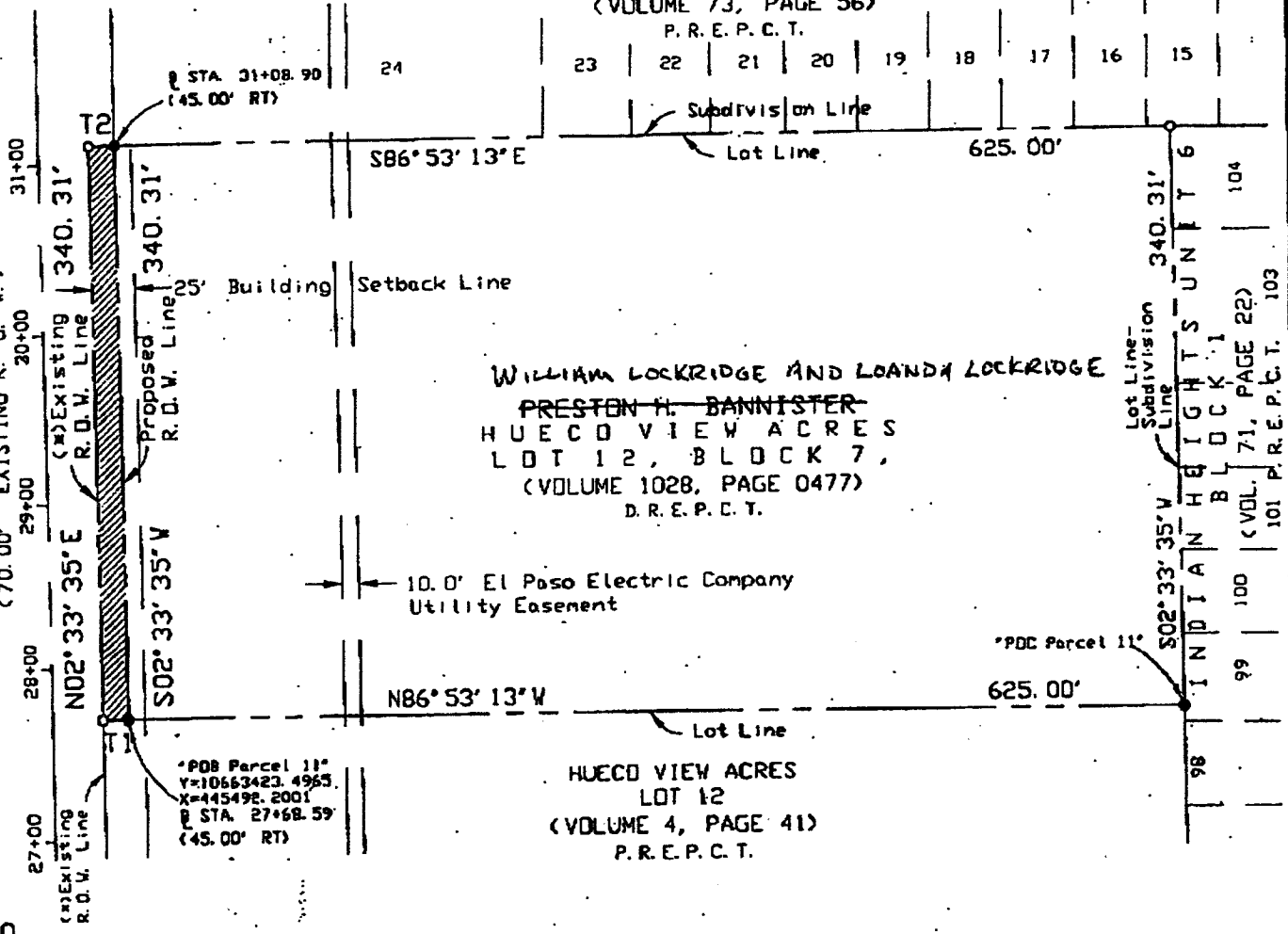
SET 3 1/8" REBAR WITH CAP STAMPED LAND MARK TX 4889 NM11402"



LINE	DIRECTION	DISTANCE
1	N 86° 53' 13" W	15.00'
2	S 02° 33' 35" E	15.00'

LEGAL:	A PORTION OF LOT 12, BLOCK 7, HUECO VIEW ACRES
WHOLE:	= 4.9997 ACRES 217,788 SQ. FT.
ACQUIRED:	= 0.1172 ACRES 5,104 SQ. FT.
REMAINING:	= 4.8825 ACRES 212,684 SQ. FT.

LEE BOULEVARD
(70.00' EXISTING R.O.W.)



I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT OF SURVEY SHOWS THE FACTS FOUND AT THE TIME OF SAID SURVEY.

[Signature]
LARRY L. BREWES
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4889



RIGHT-OF-WAY ACQUISITION
OVER LANDS NOW OR LATE OF
PRESTON H. BANNISTER

SITUATED IN: CITY OF EL PASO, EL PASO COUNTY, TEXAS

Land-Mark Professional Surveying, Inc.
1405 Vanderbilt Drive, Suite A,
El Paso, Texas 79935
(915) 598-1300 FAX (915) 598-1221

Rev.	Description	Date	By
1			
ROW C.S.	324-86-121		
Parcel	1		
Date	APRIL 2009		
Drawn By	IR Chancelor		
Sheet	1	of	1